

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHABTAI SCOTT SHATSKY, individually : Case No. 18 Civ. 12355 (MKV)
and as personal representative of the Estate of :
Keren Shatsky, et al., :
Plaintiffs, :
: :
-v- :
: :
THE PALESTINE LIBERATION :
ORGANIZATION, and THE :
PALESTINIAN AUTHORITY (a/k/a "The :
Palestinian Interim Self-Government :
Authority" and/or "The Palestinian National :
Authority"), :
Defendants. :
: :
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DECLARATION OF JOSEPH S. ALONZO,
FILED IN SUPPORT OF THE MOTION TO DISMISS BY THE PALESTINE
LIBERATION ORGANIZATION AND THE PALESTINIAN AUTHORITY

Joseph S. Alonzo declares as follows:

1. I am an attorney admitted to practice before this Court and a partner at Squire Patton Boggs (US) LLP, counsel to Defendants Palestine Liberation Organization and Palestinian Authority ("Defendants"). I submit this declaration in support of Defendants' Motion to Dismiss for Lack of Personal Jurisdiction.
2. Submitted with this declaration are true and correct copies of the April 7, 2021 deposition of Awni Abu Hbda (also spelled as Hba) (as Exhibit A) and the April 8, 2021 deposition of Fuad Ateyeh (as Exhibit B). Mr. Hbda and Mr. Ateyeh testified as follows:

- a. Until 2018, the Palestinian US consulate’s website listed U.S. notaries frequently hired by Palestinian-Americans. Hbda Depo. at 115-17, 144-46; Ateyeh Depo. at 40-43.
- b. In 2014, the PLO’s Washington consulate sent a contract to Mr. Hbda, a U.S. notary, that would make him an “Authorized Notary” if he agreed to certain restrictions and conditions, but Mr. Hbda did not sign the contract. Hbda Depo. at 128-29.
- c. Both Mr. Hbda and Mr. Ateyeh denied any authority to act on behalf of Defendants in the United States. Hbda Depo. at 92-93, 119; Ateyeh Depo. at 43, 66.
- d. Both Mr. Hbda and Mr. Ateyeh testified that they had not performed any service “on behalf of” either the PA or PLO since January 4, 2020. Hbda Depo. at 155; Ateyeh Depo. at 22-24, 69.
- e. Both Mr. Hbda and Mr. Ateyeh testified that their business interactions with Defendants are limited to sending notarized documents to the PLO’s Canadian or Mexican missions for authentication, and occasionally sending emails to the Palestinian Land Department regarding real estate. Hbda Depo. at 91-102; Ateyeh Depo. at 46-56, 68.

3. Based on our review, every website post quoted in the Amended Complaint (see ¶75a-75m) references an official UN communication archived on the UN’s website. For example, Paragraph 75a quotes a letter to various UN bodies that was archived as relevant to four UN agenda items, including “Illegal Israeli actions” and “Palestine Question,” with the letter and UN agenda information available at: <https://digitallibrary.un.org/record/3847785?ln=en>. Similarly, Paragraph 75b quotes from a letter that was also archived by the UN, with the letter and UN agenda information available at: <https://digitallibrary.un.org/record/3854048?ln=en>. Paragraph 75c

quotes from a letter that was also archived by the UN, with the letter and UN agenda information available at <https://digitallibrary.un.org/record/3854174?ln=en>. Paragraph 75d quotes from a letter that was also archived by the UN, with the letter and UN agenda information available at: <https://digitallibrary.un.org/record/3854659?ln=en>.

4. The UN Committee on the Exercise of the Inalienable Rights of the Palestinian People (“CEIRPP”) has stated that the Palestinian mission is expected to “participate[] in the work of both the Committee and the Bureau” as part of its observer status. Report, CEIRPP, UN Doc. A/75/35, at: https://www.un.org/ga/search/view_doc.asp?symbol=A/75/35, ¶ 31. In 2020, the CEIRPP stated that it would “focus its activities on diplomatic efforts and initiatives to support ... an end to the Israeli occupation” and to “mobilize the international community to stay steadfast in its support for the inalienable rights of the Palestinian people.” Programme of Work for 2020, CEIRPP, UN Doc. A/AC.183/2020/1 (Feb. 7, 2020), at: <https://www.un.org/unispal/document/palestinian-rights-committee-programme-of-work-for-2020-a-ac-183-2020-1/>. “Through its activities,” the CEIRPP stated, it would raise “awareness of the political, human rights and humanitarian developments on the ground” and seek “to mobilize the broadest possible international support.” *Id.*

5. The UN and its bodies frequently discuss the Question of Palestine, both in formal documents and through social media. For example:

- a. Secretary General António Guterres has stated “If there is a hell on earth, it is the lives of children in Gaza.” Meetings Coverage, GA/12325 (May 20, 2021), available at <https://www.un.org/press/en/2021/ga12325.doc.htm>.

- b. The Twitter account for the UK's UN Mission stated: "What hope is there for 2-state solution when communities are simply removed from the map?" @UKUN_NewYork (Oct 14, 2016).
- c. The Twitter account for the French UN Mission stated: "No further settlements. No colonization." @FranceONU (Feb. 24, 2020).
- d. The Twitter account for the Turkish UN Mission stated "All illegal settlement and demolition activities must stop." @Turkey_UN (Apr. 23, 2020).
- e. Many other UN documents say similar things, such as draft resolutions G.A. Res. No. A/C.4/73/L.18 (Nov. 14, 2018) which condemns "the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in the death and injury of civilians," and G.A. Res. No. A/73/L.32 (Nov. 23, 2010), which condemns "acts of violence, intimidation and provocation by Israeli settlers against Palestinian civilians ... settlement construction and expansion, home demolitions, evictions ...".

I declare under penalty of perjury that the foregoing is true and correct.

New York, New York
August 20, 2021



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